

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

**8:17CR241**

VS.

CHRISTIAN LAPOINTE ,

Defendant.

**ORDER**

This matter is before the court on the defendant's Joint Unopposed Motion to Continue Trial [27]. Counsel is seeking additional time to obtain the results of a DNA test. The defendant has complied with NECrimR 12.1(a). For good cause shown,

**IT IS ORDERED** that the defendant's Joint Unopposed Motion to Continue Trial [27] granted as follows:

1. The jury trial, now set for October 17, 2017 is continued to **December 5, 2017**.
2. The defendant has filed an affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and December 5, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 13<sup>th</sup> day of October, 2017.

BY THE COURT:

s/Susan M. Bazis  
United States Magistrate Judge